

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

BILLIE JOE CHAPMAN,

Plaintiff,

v.

ELLEN POLAND, MARK LUND,
STEVE JENKINS, JIM PAYNE,
HAROLD MURREN, JOHN/JANE
DOE, Mail Room Manager, and
JOHN/JANE DOE, Records
Manager,

Defendants.

4:13CV3205

**MEMORANDUM
AND ORDER**

This matter is before the court on Plaintiff's Motion for Reconsideration. (Filing No. [9](#).) The court dismissed this matter without prejudice on February 4, 2014, because Plaintiff failed to pay the court's filing and administrative fees or submit a request for leave to proceed in forma pauperis. (Filing No. [7](#).) On February 24, 2014, Plaintiff submitted his request for leave to proceed in forma pauperis together with this motion. (*See* Filing No. [9](#) at CM/ECF pp. 3-4.) Plaintiff states in his Motion for Reconsideration that he did not receive the court's order requiring him to submit a request for leave to proceed in forma pauperis, and that he is having difficulty receiving legal mail at his current place of incarceration. (*Id.* at CM/ECF p. 1.) For good cause shown, the court will reopen this matter.

IT IS THEREFORE ORDERED that:

1. Plaintiff's Motion for Reconsideration (Filing No. [9](#)) is granted.

2. The clerk's office is directed to reopen this matter in accordance with this Memorandum and Order, and separately docket as a pending motion Plaintiff's request for leave to proceed in forma pauperis (i.e., Filing No. 9 at CM/ECF pp. 3-6).

3. The clerk's office is directed to request an inmate trust account statement from the appropriate official at Plaintiff's institution of incarceration.

DATED this 2nd day of May, 2014.

BY THE COURT:

s/ John M. Gerrard
United States District Judge'

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